

Appl. No. 10/619,972
Amdt. dated April 4, 2006

Reply to Office Action of January 10, 2006
Attorney Docket 12622

REMARKS

Claims 1-2, 4-5, 7-14 and 17-24 are currently pending for examination. Claims 1, 2, 4, 7, 17, 18 and 21 are amended. Claims 3, 6, 15 and 16 are cancelled. Claims 22-24 are added. No new matter is added. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing remarks.

Rejection of Claims under 35 U.S.C. §103

A. Rejection of claims 1, 5, 11, 12 and 17-21

Claims 1, 5, 11, 12 and 17-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,705,067 to Schroeder et al. (hereinafter referred to as "Schroeder") in view of U.S. Patent No. 4,480,397 to Vachon (hereinafter referred to as "Vachon") and U.S. Patent No. 4,209,024 to Powell et al. (hereinafter referred to as "Powell").

Amended claim 1 recites a harvesting combine including a body including a housing extending longitudinally along, and relative to, a forward direction of travel of the harvesting combine, the housing having a front wall extending generally transverse to the longitudinally extending body and a rotary threshing assembly including a rotor having a front end located in front of the front wall, a longitudinally extending cab in front of and spaced-apart from the front wall, the longitudinally extending cab having at least one longitudinally extending side, and a platform comprising a rear platform portion, the rear platform portion positioned in the space between the cab and the body, the rear platform portion extending along the front wall, which is generally transverse to the longitudinally extending body, wherein the cab, the body,

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and the rear platform portion define a passageway to allow an operator to visually monitor and access the body from the platform, the passageway and the rear platform portion extending over the front end of the rotor, the platform further including at least one side platform portion connected to the rear platform portion, the at least one side platform portion located beside, and extending along, the at least one longitudinally extending side of the cab, wherein the rear platform portion and the at least one side platform portion comprise at least one generally L-shape embodiment when viewed from above, wherein the rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Nowhere does Schroeder, Vachon or Powell, either alone or in combination describe or suggest the recited elements of claim 1. In particular, Schroeder, Vachon or Powell, either alone or in combination, does not describe or suggest that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor. Support for this newly added subject matter can be found, for example, on page 7, lines 20-31 of the specification.

Accordingly, claim 1 is allowable over Schroeder in view of Vachon and Powell. Applicants respectfully request withdrawal of this rejection.

Claims 5, 11 and 12 depend directly from Claim 1 and as such are allowable for at least the same reasons of allowability of Claim 1 as presented above.

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Amended claim 17 recites a method for operating a harvesting combine including providing a harvesting combine including a longitudinally extending body, relative to a forward direction of travel of the harvesting combine, the body including a housing and operating equipment including at least a grain tank, a longitudinally extending cab spaced-apart from and in front of the body, the longitudinally extending cab having at least one longitudinally extending side, a platform including at least one side platform portion positioned beside the cab and extending along the at least one longitudinally extending side of the cab, and an elevated back platform portion connected to the at least one side platform portion and positioned between the cab and the body at an elevation higher than the side platform portion, wherein the cab, the body, and the elevated back platform portion define a passageway, and wherein the back platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing a front end of a rotor of a threshing system of the combine extending forwardly of the body of the combine, removably detaching the back platform portion from the bridge and raising the cab upwardly to position the cab in the passageway above the front end of the rotor.

Nowhere does Schroeder, Vachon or Powell, either alone or in combination describe or suggest the recited elements of claim 17. In particular, Schroeder, Vachon or Powell, either alone or in combination, does not describe or suggest removably detaching a back platform portion from a bridge and raising the cab upwardly to position the cab in the passageway above the front end of the rotor.

Accordingly, claim 17 is allowable over Schroeder in view of Vachon and Powell. Applicants respectfully request withdrawal of this rejection.

Amended claim 18 recites a method for operating a harvesting combine including providing a harvesting combine including a longitudinally extending body, relative to a

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forward direction of travel of the harvesting combine, the body including a housing and operating equipment including a grain tank, a longitudinally extending cab spaced-apart from and forwardly of the body, the longitudinally extending cab having at least one longitudinally extending side, a platform including at least one side platform portion positioned beside the cab and extending along the at least one longitudinally extending side of the cab, and an elevated back platform portion connected to the at least one side platform portion and positioned between the cab and the body wherein the cab, the body, and the elevated back platform portion define a passageway, and wherein the back platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing a front end of a rotor of a threshing system of the combine extending forwardly of the body of the combine, releasably detaching the back platform portion from the bridge and positioning the cab in the passageway above the front end of the rotor to facilitate at least one of installation of the rotor and removal of the rotor.

Nowhere does Schroeder, Vachon or Powell, either alone or in combination describe or suggest the recited elements of claim 18. In particular, Schroeder, Vachon or Powell, either alone or in combination, does not describe or suggest releasably detaching a back platform portion from a bridge and positioning the cab in the passageway above the front end of the rotor to facilitate at least one of installation of the rotor and removal of the rotor.

Accordingly, claim 18 is allowable over Schroeder in view of Vachon and Powell. Applicants respectfully request withdrawal of this rejection.

Claims 19 and 20 depend directly from Claim 18 and as such are allowable for at least the same reasons of allowability of Claim 18 as presented above.

Claim 21 recites a cab arrangement for a harvesting combine including a harvesting combine including a longitudinally extending body, relative to a forward direction of travel of

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the harvesting combine, having a grain tank, a longitudinally extending cab spaced-apart from the grain tank, the longitudinally extending cab having opposite longitudinally extending sides and a platform including side platform portions beside opposite sides of the cab and extending longitudinally therealong, the platform further including a back platform portion connected to at least one of the side platform portions and positioned at a higher elevation than the side platform portions positioned between the cab and the grain tank, wherein the back platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space therebeneath containing a front end of a rotor of a threshing system of the combine extending forwardly of the body of the combine, wherein the back platform portion is releasably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor, and wherein the cab, the grain tank, and the back platform portion define a passageway to allow an operator to visually monitor operating equipment from the higher elevation.

Nowhere does Schroeder, Vachon or Powell, either alone or in combination describe or suggest the recited elements of claim 21. In particular, Schroeder, Vachon or Powell, either alone or in combination, does not describe or suggest that a back platform portion is releasably attached to a bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Accordingly, claim 21 is allowable over Schroeder in view of Vachon and Powell. Applicants respectfully request withdrawal of this rejection.

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D. Rejection of claims 2 and 3

Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schroeder, Vachon and Powell as applied to claim 1, and further in view of U.S. Patent No. 4,421,188 to Fredriksen (hereinafter referred to as "Fredriksen"). Claim 3 is cancelled.

According to the Office Action, Fredriksen has a platform (unnumbered) that is removable to allow the cab 2 to be positioned in the passageway. Claim 1 recites, in particular, that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Nowhere does Fredriksen describe or suggest that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor. Rather, Fredriksen describes that an auxiliary frame 4, which supports the cab 2, is locked to the cab 2 allowing the cab to be displaced to each of two working positions shown in dotted lines. (See Col. 2, lines 13-16).

Specifically, Fredriksen discloses in Col. 2, lines 22-41:

"An auxiliary frame 4 is mounted on the swinging machine axle 3 as can be seen from the FIGURE. The auxiliary frame 4 is connected with the driver's cabin 2 so as to support the latter when the driver's cabin must be lowered, for example for road transportation. Thereby, the available road shape is not exceeded by the machine. The displacement of the driver's cabin 2 from one of the two working positions onto the auxiliary frame 4 is performed, for

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example, by a crane, fork lift, or the like. The swinging machine axle 3 has a predetermined height relative to ground level. The auxiliary frame 4 is designed so that its supporting plane for supporting the driver's cabin 2 is located substantially at the height corresponding to the height of the swinging machine axle 3. The driver's cabin 2 is locked with the auxiliary frame 5. For this locking, locking elements are provided which include several conically upwardly decreasing pins 5 arranged on the auxiliary frame 4, on the one hand, and arresting sleeves 6 arranged on the driver's cabin 2, on the other hand."

Accordingly, claim 1 is allowable over Schroeder, Vachon and Powell, and further in view of Fredriksen. Applicants respectfully request withdrawal of this rejection.

Claim 2 depends directly from Claim 1 and as such is allowable for at least the same reasons of allowability of Claim 1 as presented above.

C. Rejection of claims 4 and 6-8

Claims 4 and 6-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schroeder, Vachon, Powell and Fredriksen as applied to claim 3, and further in view of U.S. Patent No. 4,067,264 to Ensink (hereinafter referred to as "Ensink"). Claim 6 is cancelled.

Claim 1 recites, in particular, that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Nowhere does Ensink describe or suggest that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably

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attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Accordingly, claim 1 is allowable over Schroeder, Vachon, Powell, and Fredriksen and further in view of Ensink. Applicants respectfully request withdrawal of this rejection.

Claims 4 and 7-8 depend directly or indirectly from Claim 1 and as such are allowable for at least the same reasons of allowability of Claim 1 as presented above.

D. Rejection of claim 9

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schroeder, Vachon, Powell, Fredriksen and Ensink as applied to claim 8, and further in view of U.S. Patent No. 5,906,411 to Stauffer et al. (hereinafter referred to as "Stauffer").

Claim 1 recites, in particular, that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Nowhere does Stauffer describe or suggest that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Accordingly, claim 1 is allowable over Schroeder, Vachon, Powell, Fredriksen, Ensink and further in view of Stauffer. Applicants respectfully request withdrawal of this rejection.

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Claim 9 depends indirectly from Claim 1 and as such is allowable for at least the same reasons of allowability of Claim 1 as presented above.

E. Rejection of claim 10

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Schroeder, Vachon and Powell in view of U.S. Patent No. 3,568,418 to Copley et al. (hereinafter referred to as "Copley").

Claim 1 recites, in particular, that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Nowhere does Copley describe or suggest that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Accordingly, claim 1 is allowable over Schroeder, Vachon and Powell in view of Copley. Applicants respectfully request withdrawal of this rejection.

Claim 10 depends indirectly from Claim 1 and as such is allowable for at least the same reasons of allowability of Claim 1 as presented above.

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F. Rejection of claims 13 and 14

Claims 13 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schroeder, Vachon and Powell in view of U.S. Patent No. 4,605,259 to Hurlburt (hereinafter referred to as "Hurlburt").

Claim 1 recites, in particular, that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Nowhere does Hurlburt describe or suggest that a rear platform portion is supported on a bridge which has a generally inverted U-shape which extends over and defines a space containing the front end of the rotor, and wherein the rear platform portion is removably attached to the bridge to allow the cab to be positioned in the passageway above the front end of the rotor.

Accordingly, claim 1 is allowable over Schroeder, Vachon and Powell in view of Hurlburt. Applicants respectfully request withdrawal of this rejection.

Claims 13 and 14 depends directly or indirectly from Claim 1 and as such is allowable for at least the same reasons of allowability of Claim 1 as presented above.

Newly added claims 22-24

Newly added claims 22 and 23 are similar to previously canceled claims 15 and 16. No new matter is added.

Claim 24 is added to disclose additional subject matter neither described nor suggested in the cited references. No new matter is added. Support for claim 24 can be found, for example, on page 7, lines 5-15 of the specification. Applicants respectfully submit

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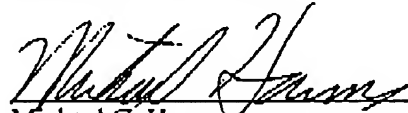
that newly added claims 22-24 define patentable subject matter and allowance of claims 22-24 is respectfully requested.

Conclusion

Applicants respectfully submit that claims 1-2, 4-5, 7-14 and 17-24 define patentable subject matter. A Notice of Allowance is therefore respectfully requested.

No fee is believed due with this communication. Nevertheless, should the Examiner consider any fees to be payable in conjunction with this or any future communication, authorization is given to direct payment of such fees, or credit any overpayment to Deposit Account No. 14-0780. The Examiner is invited to contact the undersigned by telephone if it would help expedite matters.

Respectfully submitted,



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